

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JEFFREY M. NORMAN.

Plaintiff,

v.

DAVID W. ELKIN, RICHARD M. SHORIN
and THE ELKIN GROUP, INC.,

Defendant.

and

U.S. MOBILCOMM, INC.

Nominal Defendant.

C.A. No. 06-005-JJF

Jury Trial Demanded

PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME

Pursuant to D. Del. LR 7.1.2, Plaintiff Jeffrey M. Norman (“Plaintiff”), respectfully requests that the Court grant an extension of time for Plaintiff to respond to Defendants’ Motion for Summary Judgment (the “Motion”). In support of this motion, Plaintiff states as follows:

1. Defendants' Motion, together with its supporting documents, was filed with the Court on February 16, 2007, beginning at 10:39 p.m. (D.I. 42). Plaintiffs' answering brief in opposition to the Motion is currently due on or before Monday, March 5, 2007.

2. By email dated February 27, 2007, Plaintiff's counsel requested two additional weeks to submit its answering brief. (February 27, 2007 email attached hereto as Exhibit A). Defendants failed to respond in any way to this first request. Plaintiff's counsel followed-up with a second email request dated March 1, 2007. (March 1, 2007 email attached hereto as Exhibit B). Defendants failed to respond in any way to this second request.

3. After receiving no response to the email requests, Plaintiff's counsel attempted to contact both Defendants' lead and local counsel by telephone on March 2, 2007 to request an

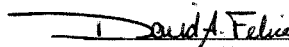
extension of time. Despite messages being left with two attorneys, Defendants have not, as of the filing of this motion, returned either call or responded to either of the two email requests. Not having received any response from Defendants' counsel, Plaintiff was forced to submit this motion to the Court.

4. Plaintiff requires additional time to submit his answering brief because his attorneys had pre-existing business commitments that prohibited the drafting of a responsive brief within ten (10) business days of the filing of the opening brief. Moreover, Plaintiff has not yet had the opportunity to discuss the substance of the opening brief with his attorneys.

5. Plaintiff respectfully requests that he be afforded an additional twelve (12) business day extension to submit his answering brief in opposition to Defendants' Motion. With this extension, Plaintiff's answering brief will be filed on or before Wednesday, March 21, 2007.

6. Pursuant to D. Del. LR 7.1.1, the undersigned counsel certifies that efforts were made (as noted above) to resolve this matter without Court intervention.

Dated: March 2, 2007


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